

In the Matter of)
)
Transforming the 2.5 GHz Band) WT Docket No. 18-120

The Rural EBS Coalition (the “Coalition”),¹ by counsel, hereby submits these reply comments in response to the *Notice of Proposed Rulemaking* (“NPRM”) in the above-captioned proceeding.² The record in this proceeding supports many of the positions set forth in the Coalition’s comments submitted on August 8, 2018 (the “Comments”).³ However, the Coalition urges the Commission to reject the proposal for an auction in lieu of specific local priority filing windows, as proposed by a few commenters.⁴

¹ See Appendix A for list of members in the Rural EBS Coalition.

³ Comments of the Rural EBS Coalition, WT Docket No. 18-120 (filed August 8, 2018) (“Rural EBS Coalition Comments”). *See, for example*, Joint Comments of National EBS Association and Catholic Technology Network, WT Docket No. 18-120 (filed August 8, 2018) (supporting the Commission’s proposals to rationalize the geographic service area of existing EBS licenses and to establish local priority filing windows for rural Tribal Nations and new educational entities for the remaining white space), *and* Comments of the Chickasaw Nation, WT Docket No. 18-120 (filed August 8, 2018) (supporting geographic service area expansion for licensees with a tie to the local community and local priority filing windows for remaining white space).

⁴ See Comments of AT&T, WT Docket No. 18-120 (filed August 8, 2018) (“AT&T Comments”) (proposing a regular auction followed by an incentive auction and opposing local priority filing windows); Comments of Sprint, WT Docket No. 18-120 (filed August 8, 2018) (“Sprint Comments”) (supporting a commercial auction after GSA expansion and opposing local priority filing windows); Comments of Verizon, WT Docket No. 18-120 (filed August 8, 2018) (“Verizon Comments”) (proposing an auction for remaining white space).

spectrum to acquire EBS licenses in order to reach underserved areas.⁵ The Rural EBS Coalition supports the local priority filing windows proposed by the Commission, especially for licensees in rural areas who have a strong need for spectrum to close the gaps of broadband coverage that exist. The Coalition reiterates that these opportunities should be given to applicants who have not been given the same chance as other institutions. The Coalition urges the Commission to give EBS licenses to entities with a “local presence” and a “demonstrated interest” in deploying services in rural areas.⁶ The Commission should take it a step further by also requiring licensee’s lessee partners to have a local presence and a demonstrated interest. These local entities with a demonstrated interest in the rural areas that they serve have the proper motivations to serve areas where the lack of economic opportunity make it difficult for nationwide wireless carriers to justifying building out. By focusing on applicants and lessee partners within the rural communities, the Commission will increase the chances of closing the gaps in coverage in those rural areas.

Not surprisingly, many large nationwide carriers submitted comments urging the Commission to auction remaining EBS white space instead of initially licensing unused EBS white space through local priority filing windows.⁷ The Coalition opposes any auction proposal intended to replace the Commission’s proposed filing windows. In fact, an auction for EBS white space not only hurts educational institutions nationwide, but also poses a number of barriers that would put smaller providers at a significant disadvantage in attempts to acquire critical EBS spectrum. An EBS auction would provide an even greater advantage to large carriers looking to expand existing spectrum holdings, even in rural areas. However, it remains unclear whether those larger

⁵ Rural EBS Coalition Comments at 2-3.

⁶ *Id.* at 5.

⁷ See AT&T Comments at 5-6; Sprint Comments at 10-11; Verizon Comments at 5.

carriers would ever actually expand *coverage* and meaningful service in rural areas. Given large carriers' track record of meaningful rural coverage utilizing the 2.5 GHz band today, such expansion seems unlikely, leading to spectrum warehousing and further chilling of rural competition. By foregoing an auction and focusing on getting that spectrum into the hands of local groups with the drive to serve those rural areas in need, the Commission will be working toward its goal of closing the digital divide.

The local priority filing windows will present the opportunity for local existing licensees, Tribal Nations, new educational entities and their local operator partners to acquire valuable EBS spectrum for the first time since 1995. The Coalition believes that by opening up the spectrum to new licenses, the Commission will support bridging the digital divide. On the other hand, an auction mechanism would allow larger carriers to potentially acquire spectrum without plans to utilize it in rural areas. Therefore, the Commission should take necessary steps to prevent nationwide carriers from eating up the available spectrum without plans to provide coverage by focusing on the theme of localism to allow local entities and their local lessee partners to serve the rural areas to which they are committed.

Respectfully submitted,

THE RURAL EBS COALITION



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APPENDIX A

List of Rural EBS Coalition Members

1. Adams Telephone Co-Operative
2. Cass Cable TV, Inc.
3. Central Texas Communications, Inc.
4. Coleman County Telephone Cooperative, Inc.
5. Colorado Valley Communications
6. Etex Communications, L.P.
7. Mahaska Communication Group, LLC
8. Mark Twain Communications Company
9. Public Service Wireless, Inc.
10. Texas RSA 7B3, LLC d/b/a Peoples Wireless